

## REVISED EXHIBIT P

## Agreed Constructions for U.S. Patent No. 6,356,984

Claim No(s).	Claim Term	Agreed Construction
1, 14	“control bus”	a bus separate from the data bus that carries control signals.
22	“attention command control signal”	a control signal that requests a status response.

## Disputed Constructions for U.S. Patent No. 6,356,984

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
1, 14	“data bus”	<p><b>PROPOSED CONSTRUCTION:</b> “an electrical pathway for transmitting data signals, which is distinct from a control bus”</p> <p><b>INTRINSIC EVIDENCE</b></p> <ul style="list-style-type: none"> <li>• <i>See</i> 2:62-4:24; Figs. 1 and 2 and accompanying text.</li> <li>• <i>See</i> Aug. 2, 2001 Preliminary Amendment at 7; Aug. 20, 2001 Notice of Allowability at 2.</li> </ul> <p><b>EXTRINSIC EVIDENCE</b></p> <ul style="list-style-type: none"> <li>• <i>See</i> <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): <b>Data bus</b> A conductor or medium over which digital data is transmitted from one place to another within a computer.</li> <li>• One or more experts may testify</li> </ul>	<p><b>PROPOSED CONSTRUCTION:</b> “a Fibre Channel loop that carries data”</p> <p><b>EVIDENCE:</b></p> <ul style="list-style-type: none"> <li>• '984 patent: Col. 3: 2-12; Col. 3: 50- Col. 4:23; Col. 5:1- Col. 6: 28; and FIGs 1 and 2 and associated disclosures.</li> <li>• Testimony by Sun's expert, Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• Sun reserves the right to rely on any evidence identified by NetApp.</li> </ul>

## REVISED EXHIBIT P

Disputed Constructions for U.S. Patent No. 6,356,984			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</p> <ul style="list-style-type: none"> <li>NetApp reserves the right to rely on any evidence identified by Sun.</li> </ul>	
1, 14	“control signals”	<p><b>PROPOSED CONSTRUCTION:</b> Electronic signals used to control internal or external devices or processes.</p> <p><b>INTRINSIC EVIDENCE</b></p> <ul style="list-style-type: none"> <li>See 9:66-10:13; 10:55-13:35; Figs. 4 and 5 and accompanying text.</li> </ul> <p><b>EXTRINSIC EVIDENCE</b></p> <ul style="list-style-type: none"> <li>See <u>Microsoft Press Computer Dictionary</u> (1991): <b>Control signal</b> An electronic signal used to control internal or external devices or processes.</li> <li>One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>NetApp reserves the right to rely on any evidence identified by Sun.</li> </ul>	<p><b>PROPOSED CONSTRUCTION:</b> “signals controlling the state of storage subsystem devices.”</p> <p><b>EVIDENCE:</b></p> <ul style="list-style-type: none"> <li>'984 patent: Col. 4: 44 -67; Col. 11: 66 – 13:35; Col. 22: 56-62; Col. 24: 32-46; Col. 11:1-56; and FIGs 2, 4, and 11 and associated disclosures.</li> <li><b>control signal:</b> an electronic signal used to control internal or external devices or processes. MICROSOFT PRESS COMPUTER DICTIONARY, 3rd Ed. (1997) p. 118.</li> <li>Testimony by Sun's expert, Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>Sun reserves the right to rely on any evidence identified by NetApp.</li> </ul>
1, 14	“status responses”	<p><b>PROPOSED CONSTRUCTION:</b> Information indicating the state of a device.</p>	<p><b>PROPOSED CONSTRUCTION:</b> “information indicating the state of a storage subsystem device”</p>

## REVISED EXHIBIT P

Disputed Constructions for U.S. Patent No. 6,356,984			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p><b><u>INTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See</i> 9:57-10:13; 10:60-13:35; Figs. 4 and 5 and accompanying text.</li> </ul> <p><b><u>EXTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See</i> <u>The Illustrated Dictionary of Electronics</u>, 7th Ed. (1997): <b>Status</b> The condition or state of hardware or software, usually represented by a status code.</li> <li>• <i>See</i> <u>Microsoft Press Computer Dictionary</u> (1991): <b>Status</b> Also called state. The condition at a particular time of any of numerous elements of computing – a device, a communications channel, a network station, a program, a bit, a byte, and so on.</li> <li>• One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• NetApp reserves the right to rely on any evidence identified by Sun.</li> </ul>	<p><b><u>EVIDENCE:</u></b></p> <ul style="list-style-type: none"> <li>• '984 patent: Col. 9: 7-13; Col. 9: 57-Col. 10: 9; Col. 11:32-37; Col. 1:5-10; Col. 4:18-23; Col. 11: 1-56; Col. 22: 56-62; Col. 24:32-46; and FIGs. 1, 2, and 11 and associated disclosures.</li> <li>• Testimony by Sun's expert, Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• Sun reserves the right to rely on any evidence identified by NetApp.</li> </ul>
1, 2, 9, 12, 14, 15, 22, and 25	"host"	<p><b><u>PROPOSED CONSTRUCTION:</u></b> General purpose computer.</p> <p><b><u>INTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See</i> 1:43-56; 2:63-3:2; 3:13-19; Fig. 1 and accompanying text.</li> </ul>	<p><b><u>PROPOSED CONSTRUCTION:</u></b> Sun contends this term does not require construction because the term is clear on its face.</p> <p><b><u>EVIDENCE:</u></b></p> <ul style="list-style-type: none"> <li>• '984 patent at Abstract, 1:6-9, 38-67; Col.</li> </ul>

## REVISED EXHIBIT P

Disputed Constructions for U.S. Patent No. 6,356,984			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p><b><u>EXTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See The Illustrated Dictionary of Electronics</i>, 7th Ed. (1997): <b>Host</b> A programmable computer that gathers and stores the information from all of the data-entry terminals in a system.</li> <li>• <i>See IBM Dictionary of Computing</i> (1994): <b>Host processor</b> (1) A processor that controls all or part of a user application network. ... (6) Synonymous with host computer. <b>Host computer</b> (2) The primary or controlling computer in a multiple computer installation.</li> <li>• <i>See Microsoft Press Computer Dictionary</i> (1991): <b>Host</b> The main computer in a system of computers or terminals connected by communications links.</li> <li>• One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• NetApp reserves the right to rely on any evidence identified by Sun.</li> </ul>	<p>2:1-3, 61-62; Fig. 1 and associated disclosure.</p> <ul style="list-style-type: none"> <li>• Testimony by Sun's expert, Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• Sun reserves the right to rely on any evidence identified by NetApp.</li> </ul>
15	“disconnect”/“disconnects”	<p><b><u>PROPOSED CONSTRUCTION:</u></b> To break a connection, physically or electrically.</p> <p><b><u>INTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See 4:40-44; 5:42-6:28; Figs. 2 and 3 and accompanying text.</i></li> </ul>	<p><b><u>PROPOSED CONSTRUCTION:</u></b> Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides to construe this term, the term should be construed to mean:</p>

## REVISED EXHIBIT P

Disputed Constructions for U.S. Patent No. 6,356,984			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p><b><u>EXTRINSIC EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>• <i>See The Illustrated Dictionary of Electronics</i>, 7th Ed. (1997): <b>Disconnect</b> 1. To separate leads or connections, thereby interrupting a circuit. ... 3. To open a switch or relay.</li> <li>• <i>See IBM Dictionary of Computing</i> (1994): <b>Disconnect</b> (2) To break a connection, physically or electrically.</li> <li>• One or more experts may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• NetApp reserves the right to rely on any evidence identified by Sun.</li> </ul>	<p>“stop data transfer.”</p> <p><b><u>EVIDENCE:</u></b></p> <ul style="list-style-type: none"> <li>• '984 patent: Abstract; Col. 1: 48-66; col. 4: 38-37; col. 6: 45-65; col. 22:56-62; col. 24:32-46; and FIGs 2 and 11 and associated disclosures.</li> <li>• Testimony by Sun's expert, Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '984 patent.</li> <li>• Sun reserves the right to rely on any evidence identified by NetApp.</li> </ul>